

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

RICHARD W. WEYEND

V.

THE HUBMAN FOUNDATION, ET AL.

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CASE NO. 4:06CV343


**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On December 13, 2007, the report of the Magistrate Judge was entered containing proposed findings of fact and a recommendation that Plaintiff's Motion for Judgment on the Pleadings (Dkt. 36) be DENIED.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court. Therefore, Plaintiff's Motion for Judgment on the Pleadings (Dkt. 36) is DENIED..

IT IS SO ORDERED.

SIGNED this 4th day of January, 2008.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE